

the cluster presentation subsystem supports the formatting and presentation of task-associated objects of an active cluster responsive to said context; and the tasking software system operating in coordination with the resources to display via the display facilities and responsive to said context, clusters of task-associated objects and, by selection of any said task-associated object, to enable a user to activate a task representing at least one of said plurality of environmental devices

28. (New) The implementing mechanism of claim 27, further comprising:

a help subsystem supporting interaction with the tasking software system.

29. (New) The implementing mechanism of claim 28, wherein the help subsystem is configured to support user interaction with the tasking software system by analyzing user's configuring preferences against at least one of said existing clusters and identifying conflicts between said user's configuring preferences and at least one of said existing clusters.

30. (New) The implementing mechanism of claim 27, wherein said display facilities include a touch-sensitive LCD.

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#### REMARKS

Favorable reconsideration is respectfully requested in view of the following remarks.

The Office Action indicated that the Oath was defective; Applicants have submitted a new declaration.

The objection to the Specification has been addressed by deleting "if not all" at page 23, line 28.

Claims 8 and 9 have been rejected under 35 U.S.C. 112, second paragraph. Applicants have amended claims 8 and 9 to depend on Claim 7 accordingly.

Claims 1-6, 10-15, and 17-20 are rejected under 35 U.S.C. 102(a) as being unpatentable over U.S. Patent No. 6,288,716 to Humpleman et al. ("Humpleman et al. '716"). Claims 7-9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Humpleman et al. '716 in view of U.S. Patent No. 6,130,726 to Darbee.

As stated on pages 3 and 4 of the Office Action, Humpleman et al. '716 is described in the following manner:

...a tasking software system (a mechanism, line 14 column 2) includes a state tracking subsystem (ICON variation representing a particular state of the home device, line 28-29 column 10) supports (provide, line 38 column 10) context determination (particular state, line 38, column 10), a cluster formulation subsystem (software and/or hardware saving the particular steps taken by a user while interacting, line 18-19 column 22) formulates clusters (macro, line 30 column 21), each cluster has selected objects (macro file 1210, Fig. 15), being responsive (macro generation 1204, Fig. 15) to context (create macro 1202, Fig. 15), a cluster presentation subsystem (the home device's macro list, line 39, column 22) supports (is saved as, line 38 column 22) the formatting and presentation of task-associated objects (macro file 1210, Fig. 15) of an active cluster (macro name button, line 40-41 column 22)...

### First Argument

Claim 1 recites: "the state tracking subsystem supports context determination; the cluster formulation subsystem formulates clusters, each cluster comprising selected objects, such formulation being responsive to context..." Claim 17, as amended, recites "tracking the state of a plurality of environmental devices to determine context relevancy; formulating clusters responsive to said context relevancy, each cluster comprising selected task-associated objects..."

When addressing the state tracking subsystem clause of claim 1, the Examiner views Humpleman et al. '716 as teaching that "context" as used in "context determination" is the particular state of the device. When discussing the cluster formulation subsystem clause of claim 1, the Examiner states "each cluster has selected objects (macro file 1210, Fig. 15), being responsive (macro generation 1204, Fig. 15) to context (create macro 1202, Fig. 15)". Here, the Examiner states that context is defined as the macro generation step disclosed in Humpleman et al. '716. Therefore, Applicants respectfully submit that the Examiner is using two different definitions of context when making the rejection. Also, Applicants further submit that upon reviewing Humpleman et al. '716, there is no teaching of the "formulation being responsive to context".

Humpleman et al. '716 in column 21, lines 64-67 and column 22, lines 1-10, states the following:

For example, FIG. 15 depicts the creation of a preset macro 1200 according to one embodiment of the invention. As depicted in FIG. 15, when a create macro button 1202 on a respective HTML page of a home device is selected, a macro generation process 1204 begins to execute. Execution of the macro generation process 1204 causes a set of user selected device parameter values 1208, selected from the home device's parameter list 1206, to be saved to a macro file 1210. The file 1210 is assigned a unique macro name 1212 and saved on the home device. The macro name 1212 is saved as a macro name button on the home device's macro list HTML page 1214. Thereafter, a user may select the macro name button, causing the respective macro file 1210 to be executed.

Humpleman et al. '716 disclose that the "macro generation process 1204" and execution of the macro file 1210 are both initiated (or "selected") by the operator. In addressing Claim 1, the Office Action has pointed out that "context" is the state of the device when discussing the state tracking subsystem limitation. Therefore, when discussing the cluster formulation subsystem, for the Office Action to be consistent, "context" should be used in the same manner. (See MPEP Chapter 2131, under 35 U.S.C. Section 102, "[t]he elements must be arranged as required by the claim, but this is not an ipsissimis verbit test, i.e. identity of terminology is not required." In re Bond, 15 USPQ2d 1566 (Fed. Cir. 1990). Therefore, in performing an element-by-element anticipation analysis, In re Bond does not allow the same element of a reference to be used in two different ways to meet different elements of the claim). However, Humpleman et al. '716 show that the macro file formulation and execution are both responsive to operator initiation or selection rather than to the state of the device as proposed by the Office Action.

#### Second Argument

Claim 1 further recites "...the cluster presentation subsystem supports the formatting and presentations of task-associated objects of an active cluster responsive to context..." Claim 17 further recites "presenting a plurality of said task-associated objects via display facilities, each task-associated object corresponding to each of said plurality of environmental devices and being context relevant".

When addressing the cluster formulation subsystem clause, the Office Action has used clusters to be the macros with the macro file 1210 as being the objects. However, the Applicants respectfully assert that Humpleman et al. '716 teach that the macro is just the name for the macro file 1210 and, as used in Humpleman et al. '716, are the same element. The Examiner's attention is again drawn to the requirement of In re Bond that the anticipatory reference under 35 U.S.C. Section 102 must have "elements arranged as required by the claim". As discussed above, In re Bond negates using the same element of Humpleman et al. '716 in two different ways to anticipate different elements of Claim 1. (Also, the elements that make up the macro file 1210 are Parameter Values which are not presented to the user during operation and, therefore, would not meet the limitation of Claim 1 regarding "presentations of task-associated objects of an active cluster responsive to context".)

Therefore, Applicants respectfully submit that each of the elements of claim 1 are not met and, therefore, claims 1 and 17 are allowable over the cited references. Since claims 2-16 and

18-20 depend on independent claims 1 and 17, they are also believed to be allowable over the cited references. New claims 21-30 are also submitted to be allowable over the cited references for the reasons as discussed above.

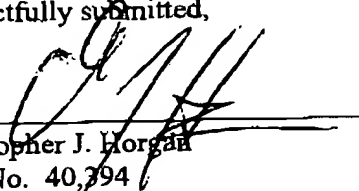
Applicants respectfully submit that they have answered all issues raised by the Examiner and that the application is accordingly in condition for allowance. Such allowance is therefore respectfully requested.

Please charge any fees other than the issue fee to deposit account 14-1270.

Please credit any overpayments to the same account.

Respectfully submitted,

Dated: June 20, 2002

By   
Christopher J. Morgan  
Reg. No. 40,394

## APPENDIX A

### Version with Markings to Show Changes Made to the Specification

Page 23, line 15 to page 24, line 14, replacement paragraph:

The formatting function provides for organizing objects by and among various types of objects. As an example, objects of an active environment (or cluster) are subject to formatting by/among object types that include: (a) a tasking object which, if selected, effects a particular task for a particular environmental device; (b) a macro object which, if selected, effects a predefined set of tasks; (c) an activation object which groups, by respective objects, one or more of environmental devices, presentations, or other elements subject to being activated so that, if the activation object is selected, the object displays, for selection, the respective objects of implicated devices, presentations, other activation objects or the like; (d) a common object which, if selected, provides a particular task (e.g., a numeric key pad) that may be associated with any number of environmental devices; (e) a closed navigation object which groups, for selection under the one object, a relatively limited number of tasking objects, macro objects, activation objects, common objects, and/or other closed navigation objects; and (f) an open navigation object which groups, for selection under the one object, a relatively large number, if not all, [if not all,] of the active environment's tasking objects (or the tasking objects of the environment's highest priority, or most relevant, or active cluster), as well as any or all macro objects, activation objects, common objects, and/or closed navigation objects. As to objects of non-active environments (or clusters), the formatting function provides for organization thereof by and among various object types; these object types include, as examples, (a) an environment activation object which groups, by respective objects, the environments (clusters) subject to being activated so that, if the object is selected, the active object displays, for selection, the

objects of the respective environments (clusters); and (b) a search object which provides access (e.g., via a list or icons) to an of all possible tasks for all environment devices and, preferably, for selected/all supported environments. As to meta-objects, the formatting function provides for organization thereof by and among various object types; these object types include, as examples, (a) a help object which provides access to the help subsystem, (b) navigation objects for moving among selections, formats, and/or presentations (e.g., a forward and/or back icon), and (c) a menu object, which provides access to an of configurations or options applicable to the tasking system, its implementing mechanism, and/or its tasking software system (e.g., a soft button which enables the user to display the presentation on a TV). It is to be recognized that any particular object may be formatted by and among greater than one object type.

## APPENDIX B

## Version with Markings

## to Show Changes Made to the Claims

8. (Amended) The implementing mechanism as claimed in Claim [6] 7, wherein the object discovery subsystem supports the discovery of environmental devices.
9. (Amended) The implementing mechanism as claimed in Claim [6] 7, wherein the object discovery subsystem supports an introduction function, such function enabling communication of "get-to-know-me" information with environmental devices.
17. (Amended) A method implemented on an implementing mechanism comprising the steps of:
- tracking the state of a plurality of environmental devices to determine context-relevancy;
- formulating clusters responsive to said context-relevancy, each cluster comprising selected task-associated objects;
- presenting a plurality of said task-associated objects via display facilities, each task-associated object corresponding to [a respective] each of said plurality of environmental [device] devices and being context relevant;
- selecting [an] a task-associated object; and
- executing the one or more tasks associated with the selected task-associated object while maintaining context-relevancy of the presented task-associated objects.
18. (Amended) The method of claim 17, [further comprises] wherein the tracking step comprises:
- polling the plurality of environmental devices to determine, based on response, a current state of the plurality of environmental devices; and

updating the presented task-associated objects to evidence the so-determined current state.

19. (Amended) The method of claim 17, wherein the executing step comprises:

transmitting a signal to one of said plurality of environmental [device] devices instructing it to change state or implement a set of instructions to effect a change of state; and updating the presented task-associated objects to reflect the object selection, so as to maintain context-relevancy of the presented objects.

20. (Amended) The method of claim 19, further comprising receiving information from at least one of said environmental devices, so as to determine, based thereon, the physical location of the implementing mechanism, and updating the presentation of said task-associated objects based on the so-determined physical location.